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AT I TO E TO E TO THE RESERVE OF THE PROPERTY OF A SPECIAL PROPERTY OF THE PRO A STATE OF THE STA the second of the estimates for a period of one year of more shall the replacement cost at the lig-avecents to the extent-Constrol, if the wee requires a paint apraying process, understound graciline storage tacks of 5,000 hallons or more, or and other constraint or process which exhausts into the attempters. If lubrication and indicate the testinod of alimination of wasts oil in accordance with the water new process Administration requirements.

6 Compliance with the requirements of the Petertment of Permits and Liberges reparding the immence, wholver prysent or future, of the parents of the parents. pecuse and permits.

The angle of raise place incorporating the rest totage and forth abries as a first abries to approval by the Parylan Department of Transportation, the Department of Tublic Vortes, and the Office of Placetage and Explace.

EXISTING USES - SPOT - A-POT, OFFICE, STORAGE & SERVICE ALEA. ATLANTIC TIRE CO., OFFICES, STOKAGE & SELLIVILE MILEN METER ERAFT CO., OFFICE E SULLIVE ALEL'

PROPOSED USES - SAME

EXESTING ZONING - ML CEL AND ML I'M

PROPOSED SONING - SAME

AREA OF LOT - 110 Ac. +

ACEA OF BLOG - OLD BLOG = 9310 SQ FT. - NEW ADDITION = 3714 SQ FT. - TOTAL = 13,034 SQ FT.

- COMMENTE ACOM PROPERTY OF THE STATE OF

- Carring Consider the Constant December And American

METEROLISET

SPOT - A · POT



April 21, 1981

Mr. Earl T. Dolan 305 East Joppa Road Towson, Maryland 21204

> Petition for Special Hearing Petitioner - Earl T. Dolan, Sr., et ux Case #81-175 SPH North side of Sussex Road - 168 feet East of Newberry Lane

Dear Mr. Dolan:

This is to advise you that \$46.25 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

> WILLIAM E. HANMOND Zoning Commissioner

WEH:sj

Occupancy Data for Second Floor Apartment 606 Sussex Road Towson, Maryland 21204

To Whom It May Concern:

This is to advise that the undersigned had resided at 606 Sussex Road from September 1, 1969 until August 15, 1977.

In witness whereof, the undersign-hereunto set their hand.

State of Maryland County of Baltimore To Wit:

I hereby certify that on this / day of function, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Earl T. Dolan, Jr. and Patricia M. Dolan, and acknowledged the above instrument to be their act.

Witness my hand and notarial Seal the day and year last above written.

My commission expires July 1, 1982

LAW OFFICES HANLEY AND HANLEY SUITE 210 ALEX BROWN BUILDING 102 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 2:204

(301) 823-1174

April 1, 1981

NON TRI NON SUNT

CHARLES IT. HICKEY, JR. OF BALLIMONE COUNTY RE: Petition For Special Hearing 606 Sussex Road Towson, Maryland 21204 Case No. 81-175-SPH

Dear Mr. Commissioner:

William E. Hammond

Zoning Commissioner

111 West Chesapaake Avenue

Towson, Maryland 21204

DANIEL J. HANLEY

PATRICK D. HANLEY

Please enter my appearance on behalf of the Petitioner in the above captioned matter. The Petitioner would also request that summonses be issued for the fellowing individuals to appear cand testify at the time of the hearing on this matter which I understand is schoduled for April 9, 1981 at 1:00 p.m.: 2. Parbara Burgess
2. Parbara Burgess
10 Warren Common
Cockeysville, Md. - 10 Warren Common Cockeysville, Md. 21030

13706 Killarney County 1 13706 Print Phoenix Md 23706 Print Phoenix Tom Anderson 13706 Killamcy Court & Phoenix, Md. 21131 / Phoenix, Md. 21131 John Anderson Marge Anderson 612 Sussex Road 9 612 Sussex Road Towson, Md. 21204 Towson, Md. 21204 CL 4-3-81 A Very truly yours,

Daniel J. Hanley

Stallage 2

Mr. Sheriff:

DJH:d

Please issue summonses in accordance with the attached.

Zoning Commissioner of Bultimore County

Occupany Data for Second Floor Apartment 606 Sussex Road Towson, Maryland 21204

To Whom It May Concern:

This is to advise that the undersigned had resided at 606 Sussex Road from September 1, 1977 until November 1, 1978.

In Witness whereof, the undersign hereunto set their hand.

Christopner J. Burgess

State of Maryland County of Baltimore

To Wit:

I hereby certify that on this is day of January, 1981 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Christopher J. Burgess and Barbara M. Burgess, and acknowledged the above instrument to be their act.

Witness my hand and notarial Seal the day and year last above written.

My commission expires July 1, 1982

To Whom: It May Concern:

This is to certify that on May 27th, 1930 Mrs Emly Polan was admitted to Stella Maris Hospice. There had never been any admittion of Mrs Dolan to Stella Maris Hospice prior to May 27th, 1980.

In witness where of, the undersign hereunto set their hand and seal:

C. Trainer Scheper In.

ween man Haspiel

Director of Formore

State of Maryland County of Baltimore

I hereby certify that on this 1600 day of 1000 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Co. Ticomers's menor To. , acknowledged the above instrument to be her act.

Witness my hand and Notarial Seal-the day and year last above written.

My Commission expires July 1, 1982

March 9, 198

Mr. & Mrs. Earl T. Dolan, Sr. 606 Sussex Road Towson, Maryland 21204

> NOTICE OF HLARING RE: Petition for Special Hearing - N/S Sussex Road, 168' E of Newberry Lane - Case No. 81-175-SPH

1:30 P.M.

Thursday, April 9, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND

BALTIMORE COUNTY

cc: Honorable Barbara Bachur

Mr. Frank W. Simcik, Pres. Wiltondale Imprevement Assoc, Inc. P.O. Box 10116 Towson, Maryland 21204

February 24, 1981

A

Mr. Earl Dolan 606 Sussex Road Towson, Maryland 21204

Dear Mr. Dolan:

Please find the enclosed estimate for your renevation work as per our discussion.

If we may be of any other service to you, please do not hesitate to call.

> Sincerely, HENRY A. KNOTT REMODELING CO., INC. David P. Trinko

DPK:vjp Invoice Enclosed February 24, 1981

Mr. Earl Polan 606 Sussex Road Towson, Maryland 21204

,- ---

Dear Mr. Dolan:

In reference to our conversation with you on February 17th, 1981 at your residence, we are pleased to submit to you our estimate for converting your existing two family dwelling into a single. At this stage, I feel it's appropriate to outline in general what our scope of work will be composed of.

The primary objective is to create access to the second floor by means of an interior stairway. We propose to improvise the existing exterior entrance to the second floor to enable the flow of traffic to enter the stainway to the left of the fireplace (from within the Living Room). An opening will be created, the existing exterior entrance will be expanded to enclose the area. The existing roof will be imported to blend aesthetically with the house proper. The same type of stone and clapboard will be used on the exterior and painted to blend with house. Rain gutter and downspouts to be installed on this area.

To create a functional living space on the second floor, we propose to disconnect and remove all cabinets and appliances in the now existing kitchen. This space will have a full bathroom installed and the remainder of the room is to have a large walk-in closet constructed and other storage areas.

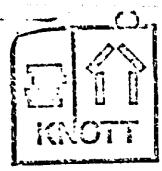
Rooms that now have a 5'w opening are to be framed-in to accept 3'w wood panel doors.

Continued....

HENRY A. KNOTT REMODELING CO., INC. • 7 WEST AYLESBURY BOAD, TIMONIUM, MARYLAND 21093 • TELEPHONE (301) 252-77:00

MARYLAND LICENSE NO. 1

HENRY A. KROTT REMODELING CO., INC. +7 WEST AYLESBURY ROAD, TIMONIUM, MARYLAND 21093 + TELEPHONE (301) 252-77-



Mr. Earl Dolan Page 2 February 24, 1981

NOTES:

All wall areas that are to have construction taking place will be plastered to blend with remainder of walls. These areas to be painted.

All floor areas involved are to have a new finished floor.

All areas will have electrical work performed as per code.

For the above scope of work, as noted in general, our estimate NINETEEN THOUSAND TWO HUNDRED DOLLARS (\$19,200.00).

We thank you for allowing us to present this estimate to you. Looking forward to working with you, we are

Sincerely,

HENRY A. KNOTT REMODELING CO., INC.

DPT:vjp

HODES, KAPLAN & KATZENBERG, P.A.

ATTORNEYS AT LAW

MICHAEL C HODES LOUIS I KAPLAN ALEX S KATZENBERG. III J MICHAEL LAWLOR

110-112 E. MADISON STREET BALTIMORE, MARYLAND 21202 (301) 837-6200 SUITE 514 6301 IVY LANE

GREENBELT, MARYLAND 20770 (301) 621-1777

June 3, 1981

Mr. Hammond Office of Zoning Commissioner County Courts Building Towson, Maryland 21204

> IN RE: Petition for Special Hearing N/S of Sussex Road, 168' E. of Newberry Lane - 9th Election Dis-Earl T. Dolan, Sr., et ux, Petitioners 8/- 175- SPH (* 137)

Dear Mr. Hammond:

Please note an appeal to the Board of Appeals, Baltimore Coutny, Maryland, on the abovecaptioned and transmit the record to said Board of Appeals.

Sincerely,

HODES, KAPLAN & KATZENBERG, P.A

J. Michael Lawlor Attorneys for Frank Simcik, Protestant Wiltondale Improvement Association Box 10116

Towson, Maryland 21204

Phone 254-2055 1.01 Charles Prest Dogwood Ynd . Orgad PLEASE DETACH AND RETURN WITH Y UR REMITTANC INVOICE NUMBER / DESCRIPTION CHARGES BALANCE FORWARD () acation form of degrated not

NORTHERN REXALL PHARMACY

AND MEDICAL EQUIPMENT

6701 Harford Rd. BALTIMORE, MARYLAND 21234

the west went in Jose her Bearing A fin. charge (if any) is 1%% per mo.

(18% per annum) on past due bal.

BALTIMORE COUNTY OFFICE OF PLANNING 6 70NING TOWSON, MARYLAND 21204 494-3353

May 14, 1981

Daniel J. Hanley, Esquire Suite 210 102 West Pennsylvania Avenue Towson, Maryland 21204

> RF. Petition for Special Hearing N/S of Sussex Rd., 168' E of Newberry Lane - 9th Election District Earl T. Dolan, Sr., et ux - Petitioners NO. 81-175-SPH (Item No. 137)

SIMILITERS

BALANCE

DATE MANCHE TIME

Dear Mr. Hanley:

WILLIAM E HAMMOND ZONING COMMISSIONER

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JÉAN M.H. JUNG Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Frank Simcik, President Wiltondale Improvement Association Box 10116 Towson, Maryland 21204

> Ms. Kitty Harris 514 Sussex Road Towson, Maryland 21204

The Honorabie Barbara Bachur County Council

John W. Hessian, III, Esquire People's Counsel

WILTONDALE IMPROVEMENT ASSOCIATION, INCORPORATED Tolla 2000. 20,1101 Post Office Box 10116

TOWSON, MARYLAND 21204

February 17, 1981

Re: The Dolan Property 606 Sussex Road Wiltondale Towson, Maryland 21204

Dear Mr. Hammond:

Mr. William Hammond,

111 W. Chesapeake Avenue

Towson, Maryland 21204

Zoning Administrator, Baltimore County

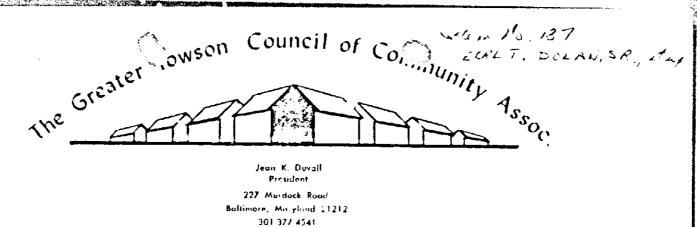
The Board of Directors of Wiltondale Improvement Association met December 8, 1980, and reviewed the recent hintory of non-conforming use for the property located at 606 Sussex Road, Wiltondale, Faltimore County. Testimony from residents of the immediate ar a gave the Pourd reason to conclude that the non-conforming use of this property as a "two-family dwelling" may have expired because the property was not so inhabited for a period exceeding one year.

Members of the Executive Committee met with Mr. Earl Dolan, Jr. on February 3, 1981, to review his position. Subsequently, at its next regular meeting, the Board of Directors of Wiltondale Improvement Association voted to reaffirm its position to assure that if the non-conforming use as a two-family dwelling has in fact expired the it not be allowed to be reinstated by our in-action.

It is our understanding that Mr. Sarl Dolan, is requested a hearing before the Zoning Board of Apreals to ask for a continuation of non-conforming use for the residence located at 606 Sussex Read, Wiltondale, Baltimore County. Should such a zoning hearing be scheduled, we would appreciate being advised of the date and time so that a member of our organization could be present to state the position of Wiltoniale Improvement Association.

Thank you for your consideration of the above.

1 Yours very truly, Frank W. Simcik, President



February 26, 1981

Mr. William E. Hammond, Zoning Commissioner of Baltimore County County Office Building 111 W. Chesapeake Ave. Towson, Md. 21204

Dear Mr. Hammond:

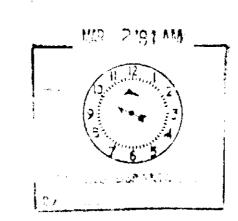
The Board of the Greater Towson Council of Community Associations unanimously supports the Wiltondale Improvement Association, Inc. in its request to have 606 Sussex Road revert to single-family occupancy.

It is our understanding that the property has been vacant for at least a year. We request, therefore, that the prior non-conforming use status of more than one-family tenancy not be restored.

> Yours sincerely. Jean K. Duvall, President

JKD:LBW

Copy to: Hon. Barbara F. Bachar Deputy Zoning Commissioner Jean Jung Frank W. Simcik Richard Wunderlich



June 23, 1981

Daniel J. Hanley, Esquire Suit 210 102 west Pennsylvania Avenue Towson, Maryland 21204

> Petition for Special Hearing N/s of Sussex Road, 168 ft. E of Newberry Lane Earl T. Dolan, Sr., et ux - Petitioners Case No. 81-175-SPH

Dear Mr Hanley:

Please be advised that an Appeal has been filed by J. Michael Lawlor, Attorney for Frank Simcik, Protestant (Wiltondale Improvement Association), from the decision rendered by the Deputy Zoning Commissioner of Baltin ore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

> William E. Hammond Zoning Commissioner

WEH:klr

cc: John W. Hessian, III, Esquira People's Counsil

> Ms. Kitty Harris 514 Sussex Road Towson, Maryland 21204

The Honorable Barbara Bachur County Council

WILTONDALE IMPROVEMENT ASSOCIATION, INCORPORATED

Fost Office Box 10116

TOWSON, MARYLAND 21204

February 17, 1981 FER 1 8 191 AM

Re: The Dolan Property

606 Sussex Road = Wiltondale Towson, Maryland 21704

Dear Mr. Hammond:

Mr. Alliam Handend.

111 W. Chesapeake Avenue

Towson, Maryland 21204

Zoning Administrator, Baltimore Sounty

The Board of Directors of Wiltondale Improvement Association met December 2, 1930, and reviewed the recent history of non-conforming use for the property located at 606 Sussex Road, Wiltoniale, Baltimore County. Testimony from residents of the immediate area have the Board reason to conclude that the non-conforming use of this property as a "two-family dwelling" may have expired because the property was not so inhabited for a period exceeding one year.

Members of the Executive Committee met with Mr. Earl Dolan, Jr. on February 3, 1931, to review his position. Subsequently, at its next regular meeting, the Board of Directors of Miltondale Improvement Association voted to reaffirm its resition to assure that if the non-conforming use as a two-family dwelling has in fact expired that it not be allowed to be reinstated by our in-action.

It is our understanding that Mr. Carl Dolan, requested a hearing before the Zoning Foard of Appeals to ask for a continuation of non-conforming use for the residence located at 606 Sussex Road, Wiltondale, Baltimore County. Should such a zoning hearing be scheduled, we would appreciate being advised of the date and time so that a member of our organization could be present to state the position of Wiltondale Improvement Association.

Thank you for your consideration of the above.

Yours very truly,

Frank W. Jimcik, Fresident

Occupancy Data for Secord Floor Apartment 606 Sussex Road Towson, Maryland 21204

To Whom It May Concern:

This is to advise that the undersigned had resided at 606 Sussex Road from September 1, 1969 until August 15, 1977.

In witness whereof, the undersign-hereunto set their hand.

State of Maryland County of Baltimore

To Wit:

I hereby certify that on this 15 day of 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Earl T. Dolan, Jr. and Patricia M. Dolan, and acknowledged the above instrument to be their act.

Witness my hand and notarial Seal the day and year last above written.

My commission expires July 1, 1982

February 24, 1981

 $^{\circ}$

CONTROL OF THE PROPERTY OF THE

Mr. Earl Dolan 606 Sussex Road Towson, Maryland 21204

Dear Mr. Dolan:

Please find the enclosed estimate for your renovation work as per our discussion.

If we may be of any other service to you, please do not hesitate to call.

> Sincerely. HENRY A. KNOTT REMODELING CO., INC. David P. Trinko

DPK:vjp Invoice Enclosed Occupany Data for Second Floor Apartment 606 Sussex Road Towson, Maryland 21204

To Whom It May Concern:

This is to advise that the undersigned had resided at 606 Sussea Road from September 1, 1977 until November 1, 1978.

In Witness whereof, the undersign hereunto set their hand.

Christopher J. Burgess

State of Maryland County of Baltimore

To Wit:

I hereby certify that on this 13 day of January , 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Christopher J. Burgess and Barbara M. Burgess, and acknowledged the above instrument to be their act.

Witness my hand and notarial Seal the day and year last above written.

> LAW OFFICES HANLEY AND HANLEY

SUITE 210 ALEX BROWN BUILDING

TOP WEST PENNSYLVANIA AVENUE

TOWSON, MARYLAND 21204

(301) 823-1174

April 14, 1981

EARL T. DOLAN, SR., et ux

I am enclosing an affidavit from C. James Scheper, Jr.,

Director of Finance for Stella Maris Hospice. As the affidavit

May 27, 1980. By a copy of this letter to Frank Simcik, I have

indicates Mrs. Emily Dolan was admitted to Stella Maris on

My commission expires July 1, 1982

CLAUDE A. HANLEY

1.898 19.57

HENRY A. KNOTT REMODELING CO., INC. • 7 WEST AYLESBURY ROAD, TIMONIUM, MARYLAND 21093 • TELEPHONE (301) 252-7700

February 24, 1981

Mr. Earl Dolan 606 Sussex Road Towson, Maryland 21204

Dear Mr. Dolan:

In reference to our conversation with you on February 17th, 1981 at your residence, we are pleased to submit to you our estimate for converting your existing two family dwelling into a single. At this stage, I feel it's appropriate to outline in general what our scope of work will be composed of.

The primary objective is to create access to the second floor by means of an interior stairway. We propose to improvise the existing exterior entrance to the second floor to enable the flow of traffic to enter the scairway to the left of the fireplace (from within the Living 1 mom). An opening will be created, the existing exterior entrance will be expanded to enclose the area. The existing roof will be improvised to blend aesthetically with the house proper. The same type of stone and clapboard will be used on the exterior and painted to blend with house. Rain gutter and downspouts to be installed on this area.

To create a functional living space on the second floor, we propose to disconnect and remove all cabinets and appliances in the now existing kitchen. This space will have a full bathroom installed and the remainder of he room is to have a large walk-in closet constructed and other storage areas.

Rooms that now have a 5'w opening are to be framed-in to accept 3'w wood panel doors.

Continued....

Co "Seatting Samered" Sa.

Heur Mans Hospica

Director of Finance

Mr. Earl Dolan Page 2 February 24, 1981

NOTES:

All wall areas that are to have construction taking place will be plastered to blend with remainder of walls. These areas to be painted.

All floor areas involved are to have a new finished floor.

All areas will have electrical work performed as per code.

For the above scope of work, as noted in general, our estimate auotation is: NIMETEEN THOUSAND TWO HUNDRED DOLLARS (\$19,200.00).

We thank you for allowing us to present this estimate to you. Looking forward to working with you, we are

Sincerely,

HENRY A. KNOTT REMODELING CO., INC.

PHONE 293-9313

4·4 **K**

DPT:vjp

A STATE OF THE PARTY OF THE PAR

E. T. Dolan & Associates, Inc. 305 FAST JOPPA ROAD TAECO TOWERS

BALTIMORE, MARYLAND 21204

FARL T. DOLAN, JR., SRA, CRA, PRESIDENT January 21, 1981

Baltimore County Planning & Zoning Office 111 West Chesapeake Avenue Towson, Maryland 21204 Mr. William Hammond Zoning Commissioner

RE:

Petition for Special Hearings A non-conforming two apartment dwelling 606 Sussex Road Towson, Maryland 21204 Item # 137

Dear Mr. Hammond:

EARL T. and CLARA DOLAN, SP.

I am representing the sale of my parents house at 606 Sussex Road, Towson, Maryland, 21204. The contract, which I have obtained, has a contingency for approval by the zoning office of Baltimore County for the use of the property as a two-family dwelling. My parents and I have made application for a special hearing for approval of the dwelling as a two family apartment, non conforming

The dwelling was Suilt in 1947 with county permits and approvial as a two family dwelling. Up until November 1978 the second floor apartment was rented with never any vacancy. In April of 1979 my grandmother became ill and several hospital stays made it apparent to my parents that she was incapable of caring for herself. In October of 1979 she came to live with my parents in the second floor apartment. Her health became worse and in May of 1980 they placed her in Stella Maris Hospece. This expense as well as my parents age and forthcoming retirement has resulted in their decision to sell the property.

Attached are copys of affidavits giving the history of the occupancy of the apartment. Due to the expense of caring for my grandmother as well as anticipated settlement date of May 1981, I would deeply appreciate your immediate attention in this matter. If there are any further questions please contact me at your

Respectfully,

encl. ETD:jda

To Whom: It May Concern:

This is to certify that on May 27th, 1980 Frs Emly Polan was admitted to Stella Maris Hospice. There had never been any admittion of Mrs Dolan to Stella Maris Hospice prior to May 27th, 1980.

In witness where of, the undersign hereunto set their hand and seal:

State of Maryland County of Baltimore

I hereby certify that on this 10th day of for 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared C. Samessone person _____, acknowledged the above instrument to be her act.

Witness my hand and Notarial Seal the day and year last above written.

My Commission expires July 1, 1982

Enclosure 1

DJII:d

DANIEL J. HANLEY

PATRICK D. HANLEY

Ms. Jean Jung

Dear Ms. Jung:

Deputy Zoning Commissioner

Towson, Maryland 21204

111 West Chesapeake Avenue

Case No. 81-175-SPH

RE: Petition For Special Hearing

606 Sussex Road, Towson, Md. 21204

enclosed a photocrpy of the affidavit.

CC: Frank Simcik, President Wiltondale Association P. O. Box 10116 Towson, Md. 21204

> Earl T. Dolan 305 East Joppa Rd. Towson, Md. 21204

Very truly yours,

HENRY A. KNOTT REMODELING CO., INC. • 7 WEST AYLESBURY ROAD, TIMONIUM, MARYLAND 21093 • TELEPHONE (301) 252-7700

and the control of th

NORTHERN REXALL FRARMACY	Nr. & Nrs. Ear. T. Dolan, Sr. 606 Sussex . wd	Petit For Special meaning		ting the second second second second in the second
AND MEDICAL EQUIPMENT 6701 Harford Rd. BALTIMORE, MARYLAND 21234	Towson, Maryland 21204	9th District Zoning: Petition for Special Hearing Location: North side of Sussex Road, 168 feet sast	Qe Essex Times	York Roll Syste Pi D-
Phone 254-2055	BALTIMORE COUNTY OFFICE OF PLANNING & ZONING	Ol Newberry Lane Date & Time: Thursday	Essex, Md.,	No Stevenson by
Mr. Family Malan	County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204	April 9, 1981 at 1:30 P.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake avenue.	This is to Certify, That the annexed	
Jones Grand Grand	Your Petition has been received and accepted for filing this day	Towson, Maryland The Zoning Commissker of Baltimore County, by authority of the	- //X(1.C.)2	Wilton Road
YERMS	of February . 1981 .	Zoning Act and Regulations of Baltimore County, will hold a public hearing:	was inserted in Ote Essex Times, a newspaper	
DATE INVOICE NUMBER / DESCRIPTION CHARGES CREDITS BALANCE	The Shand	Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulation, to determine	printed and published in Baltimore County, once in each of successive	72.
BALANCE FORWARD	WILLIAM E. HAMMOND Zoning Commissioner	Regulation, to determine whether or not the Zoning Commissioner and/or	weeks before the day of	
5/7/2. aextus from wholes-3/18/ 20100 154 00	Petitioner's Attorney Reviewed by: Miss of Commentum		Malle My Publisher.	2 C Let 213 Let 214 Let 216
	Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee	Deputy Zoning Commissioner should approve a non-conforming		Let 213 Let 215 Let 216
the west your against accised		approve a non-conforming use for a two apartment dwelling All that parcel of land in the Ninth District of		ic, Hree
And the man three fells by	Mr. & Mrs. Barl T. Dolan, Sr.	Baltimore County Begining at a point on the north side of .ssex Road, 168 feet from the intersection of Newberry	Contracted to the second district the second second to the second second to the second second second to the second	2 Let 177 Let 179 Let 181
1 Jan ha marine de la	606 Sussex Road Towson, Maryland 21204	Lane and Sussex Road, as #81- recorded on the plat of Wiltondaie, Plat Book 10.	-175 7H 9th Digipat	
The state of the s	BALTIMORE COUNTY OFFICE OF PLANNING & ZONING	606 Sussex Road, Located	N/S of Sussex Rd., 168' E of Newberry Ln.	2 2 Cu 1 1 Cu 1 1 Cu 1 2 Cu 3 1 2 Cu 3 1 2 Cu 3 1 2 Cu 3 Cu
0.01 00 00 00 00 00 00 00 00 00 00 00 00 0	County Office Building 111 W. Chesapeake Avenue	Being the property of Earl T. Dolan, S., et ux, as shown on plat plan filed with the Zoning Department.	EARL T. DOLAN, Sr., et ux 1 SIGN	
A fin. charge (if any) is 15% per mo. (18% per annum) on past due bal. Thank You Pay Last Amount in this column	Towson, Maryland 21204 Your Petition has been received and accepted for filing this 10th day	Department, Hearing Date: Thursday, April 9, 1981 AT 1:30 P.M. Public Hearing: Room		56' 56' + 56' 56'
(10% Date - 11.11.11.11.11.11.11.11.11.11.11.11.11.	of Yebruary , 1981 .	106, County Office Building, 111 W. Chesapeake Avenue, Towsc Maryland. BY ORDER OF		C Read 24, major wastrigum very many
	Jaly 451 -)	William E. Hammond Zoning Commissioner for Baltimor County		Sussex Read 24' white machine many 40' RIN Paper Otherine on South Rod Patition For Special Hearing
o tayh!	WILLIAM E. HAMMOND Zoning Commissioner			ven entermined for Hautman gracion
P	Petitioner's Attorney Reviewed by: Micholas B. Commodari Chairman, Zoning Plans			ect Sessex Read
	Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee	BALTIMORE COUNT	"Y OFFICE OF PLANNING & ZONING	Early T. Dours Sc
	Advisory Continues	Cou 111	inty Office Building W. Chesapeake Avenue	Let 150 Plat of Wiltenbale Zening: DR. 9th Election District
		10W	wson, Maryland 21204	The state of the s
6 81-175-5/H		Your Petition has been received t	this day of	Baltimore County Maryland
CERTIFICATE OF POSTING	CERTIFICATE OF PUBLICATION	Your Petition has been received to Filing Fee \$ 2	this day of, 198/* Received: Check	Tim H131
CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland	PETITION FOR SPECIAL. HEARING—9th DISTRICT ZONING: Petition for Special Hear-	Your Petition has been received to Filing Fee \$ - 2 - 2 BALTIMORE COUNTY, MARYLAND NOFFICE OF FINANCE - REVENUE DIVIS	this, 1987*	T/3121 H137
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___No

VALIDATION OR SIGNATURE OF CASHIER

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Previous case: 78-48A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and or Deputy Zoning Commissioner should approve

A non-conforming two Apartment Dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

			2000
Contract Purchaser:	Legal Owner(s):		
	Earl T. Dolan, Sr	•	
(Type or Print Name)	(Type or Print Name)	// //	
	Couff VIII	Law A1	; <u> </u>
Signature	Signafure		diàs 🥎
	Clara G. Dolan		LY
Address	(Type or Print Name)		/
	- lelina	J LYNE	and
City and State	Signature		
Attorney for Petitioner:			
	606 Sussex Road	823-5715	
or Print Name)	Address	Phone No.	
7 3	Towson, Maryland	21204	

Name, address and phone number of legal owner, contract purchaser or representative to be contacted Earl T. Dolan, Jr. 305 East Joppa Road 296-9313 ORDERED By The Zoning Commissioner of Baltimore County, this _____dey

City and State

February, 19 81, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of April , 1981, at 1:30 o'clock __P_._M.

(over)

Z.C.O.—No. 1

0.3

RECEIVED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 27, 1931

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

606 Sussex Road Nicholas B. Commodari Chairman

MEMBERS Bureau of Engineering Department of Traffic Engineering

State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial Development

Mr. & Mrs. Earl T. Dolan, Sr. Towson, Maryland 21204

> RE: Item No. 137 Petitioner - Earl T. Dolan, Sr., et ux Special Hearing Petition

Dear Mr. & Mrs. Dolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans cr problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

> NICHOLAS B. COMMODARI Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Honorable Barbara Bachur Old Court House 2nd Floor Towson, Maryland 21204

Towson, Maryland 21204

Mr. Frank W. Simcik, Pres. Wiltondale Improvement Association P.O. Box 10116

1. Abandonment or discontinuance for a period of one year

the extent of 75% of its replacement cost at the time of such loss shall terminate the nonconforming use as a two-family dwelling.

3. The approval of a site plan by the Department of Public

or more shall terminate the nonconforming use as a twofamily dwelling.

2. Damage by fire or other casualty of the improvement to

Works and the Office of Planning and Zoning.

BALTIMORE COUNTY

DEPARTMENT OF PUBLIC WORKS

TOWSON, MARYLAND 2:204

HARLY | PISTEL P.E.

DOM: TOR

March 5, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #12" (1980-1981) Property Owner: Earl T. & Clara G. Dolan, Sr. N/S Sussex Wad 168' E. of Newberry Lane Acres: 56 x 125 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

This property comprises Lot 180 of the plat "Section 1 Wiltondale", recorded L.McL.M. 10, Folio 108.

Baltimore County highway and utility improvements are not directly involved. Sussex Road, an existing public road, is proposed to be improved in the future

as a 30-foot closed section roadway on a 50-foot right-of-way. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 137 (1980-1981).

Bureau of Public Services

RAM: EAM: FWR: SS

cc: Jack Wimbley

N-NW Key Sheet 32 & 33 NE 3 Pos. Sheets NE 8 & 9 A Topo 70 Tax Map

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner

March 17, 1981 Norman E. Gerber, Director

FROM Office of Planning and Zoning SUBJECT Petition No. 81-175 SPH item 137

> Petition for Special Hearing North side of Sussex Road, 168 feet East of Newberry Lane Petitioner- Earl T. Dolan, Sr., et ux

Ninth District

HEARING: Thursday, April 9, 1931 (1:30 P.M.)

There are no comprehensive planning factors requiring comment on this

NEG:JGH:a5

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 NORMAN E. GERDER

March 11, 1981

Mr. William Hammond, Zoning Commissioner Zuning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #137, Zoning Advisory Committee Meeting, February 10, 1981, are as follows:

Property Owner: Earl T. and Clara G. Dolan. Sr. Location: N/S Sussex Road 168' E. of Newberry Lane Acres: 56 X 125 District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

"John L. Wimbley Planner III Current Planning and Development



March 16, 1981

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC meeting of February 10, 1981, this department has no comment on items #137 thru 141 as well as : em #143 and #144.

Very truly yours,

setter of dancer and Michael S. Flanigan Engineer Associate II

MSF/bza

137

- 1. The residence on the subject property was constructed as a two-family dwelling sometime in 1947-48, and the petitioners have continuously used the first floor a their residence.
- 2. There has never been an internal access between the first and second floor apartments.
- 3. Testimony by the petitioners indicated that the use of the second floor as an apartment has not been abandoned or discontinued for a period of one year or more at any time. The occupants of the second floor apartment have
 - a. Mr. and Mrs. Germont from completion of the residence to August 1952.
 - b. Two retired teachers from 1952 to 1966.
 - c. Dr. and Mrs. Bravos from January 1967 to July 1969.
 - d. The petitioners' son and his family from 1969 to August 1977.
 - e. Mr. and Mrs. Burgess from September 1977

to November 1978.

present.

specific testimony.

- f. Mrs. Emily Dolan from October 15, 1979 to May 27, 1980.
- g. Pamela Pehrsson from March 1, 1981 to the
- 4. Residents of the area attended the hearing but offered no
- 5. The finding of a nonconforming use being conducted on the subject property will not adversely affect the health, safety, and general welfare of the community.

and, therefore,

RECE

GRACE

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County,

this 14th day of May, 1981, that a nonconforming use as a two-family ng has existed and has been conducted on the property known and designated

Sussex Road since 1947 and, as such, should be and the same is hereby

GRANTED the right to continue from and after the date of this Order, subject,

BALTIMORE COUNTY PUBLIC SCHOOLS

137, 138, 139, 140, 141, 142, 143, 144

All of the above have no bearing on student population.

Towson, Maryland - 21204

Z.A.C. Meeting of: February 10, 1981

Very truly yours,

With beload m. Nick Petrovich, Assistant

Department of Planning

Date: February 9, 1981

however, to the following restrictions:

Robert Y. Dubel, Superintendent

Mr. William E. Hammond

Towson, Maryland 21204

Property Owner:

Present Zoning:

Proposed Zoning:

Location:

District:

No. Acres:

Dear Mr. Hammond:

Baltimore County Office Building

1111 West Chesapeake Avenue

Zoning Commissioner

BALTIMO E COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

March 16, 1981

Mr. William E. Hammond Zoning Commissioner Office of Planning ard Zon g County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 137, Zoning Advisory Committee Meeting of February 10, 1931, are as follows:

> Property Owner: Earl T. and Clara G. Dolan, Sr. N/S Susses Road 168' E. of Newberry Lane Location: Existing Zoning: L.R 5.5 Proposed Zoning: Special Hearing to approve a non-conforming two apartment dwelling.

56X125 Acres: District:

Metropolitan water and sewer exist, therefore, no health hazards are anticipated.

> Very truly yours, Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/kc

0

RE: PETITION FOR SPECIAL HEARING for a non-conforming two apartment dwelling NI/S of Sussex Road, 163' E of

Newberry Lane 9th District

Earl T. Dolun, Sr., et ux, Petitioners

BEFORE COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY No. 81-175-SPH

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner, dated May 14, 1981, finding that a non-conforming use of the property known as 606 Sussex Road as a two family dwelling has existed and been conducted on this property continuously since 1947, and as such, stanting the right to so continue. Case was heard "De Novo" this day in its entirety.

Testimony and evidence introduced this day produced the following facts for the Board's consideration in this case. The home was built new in the years 1946 and 1947. It was designed and built as a two family residence with an apartment on the first floor and another on the second floor. Private entrances to both apartments were provided with no direct access from one to the other. Each apartment had its own source for hearing and separate meters for electricity. The second floor was finished first and the first tenent took occupancy in January 1948. Upon completion of the downstairs apartment, the property owner took up residence there and remained in tenancy continuously until June, 1981. The upstairs apartment naturally had a series of tenants, as follows:

- 1) Mr. and Mrs. Germont Jan. 1948 thru Sept. 1952
- 2) Misses Irene and Roxanne Steel Oct. 1952 thru Sept. 1966
- 3) Dr. and Mrs. Anthony Bratters Feb. 1967 thru July 1969
- 4) Mr. Dolan's son and wife Sept. 1969 thru Aug. 1977
- 5) Mr. & Mrs. Christopher Burgess Sept. 1977 thru Nov. 1978
- 6) Mrs. Emily Dolan Oct. 1979 thru May 1980 a) Testimony indicated that Mrs. Dolan, 97 years of age, lived with and was cared for by Mr. Dolan's brother. There were family problems with this arrangement, so Mr. Dolan left the apartment vacant, knowing that sooner or later he would have

TOWSON MARYLAND 21204 TED ZALESKI JR DIRECTOR Mr. William E. Hammond, Zoning Commissioner

BALTIMORE COUNTY DEPARTS & LICENSES

February 20, 1981

Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #137koning Advisory Committee Meeting, February 10, 1981

Property Owner: Earl T. & Clara G. Dolan, Sr. Location: N/S Sussex Road 168 E of Newberry Lane Existing Zoning: D.R. 5.5 Proposed Zoning: Special Hearing to approve a non-conforming two apartment

50 X 125 $9 \, \mathrm{th}$

The items checked below are applicable:

dwelling.

- X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- if any X B. A building/ permit shall be required to comply with Item "I" hesidential: "Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame communication an exterior wall erected within 6' 0 of an adjacent lot line shall be . one four fire resistive construction, no openings remitted within 3 0 of lot line. A minimum 8" masonry firewall is required if construction
- F. Requested variance conflicts with the Baltimore County Building Code, Section/B
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Tode requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on a above structure, please have the owner, thru the services of a Registered in land Architect or Engineer certify to this office, that, the structure for wh. h a proposed charge in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214,
- X 1. Comments A separate means of egress shall be provided each tenant, exitway and tenant separation shall be I hour.

NOTE: These comments reflect only on the information provided by the drawing submitte' to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesaperake Ave., Towson.

> Very truly yours. Flans Review

CEB: rrj

Earl T. Dolan, Sr., et ux Case No. 81-175-SPH

> to move his mother in to take care of her. He testified that on Oct. 15, 1979, he and other family members moved his mother and all her furniture and personal belongings into this apartment. He also testified that he used her Social Security check to provide for her needs, i.e., food, clothing, medicine, etc., and to defray the rent aspect of the apartment. In May, 1980, Mrs. Dolan was placed in the Stella Maris Home for the Aged.

7) Ms. Pamela Pehison - March 1981 thru the present

Protestants are challenging the period between November 1978 and October 1979 or even May 1980 as the period during which the non-conforming use lapsed. The Board is of the opinion that this is not a valid contention. The first period is from November 1978 until October 1979, and this is not quite one year. Mr. Dolan's testimony clearly indicates no intention to abandon the apartment use, but merely a holding pattern awaiting the disposition of his mother's care. Once she took up residence from October 15 1979 thru May 1980, the total residence was clearly used as two apartments. Mrs. Dolan Sr's. furniture was in use there, her clothing, all her personal belongings and all her kitchen needs. Testimony from a neighbor, Mrs. Leontine K. Whiting, was to the effect that on occasions, she visited with Mrs. Dolan, Sr., in her second floor quarters. After consideration of all the testimony and evidence presented this day, the Board is of the opinion that the petition for non-conforming use will be granted and the Order of the Deputy Zoning Commissioner, dated May 14, 1981, be affirmed.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 24th day of September, 1981, by the County board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated May 14, 1981, be AFFIRMED.

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON MARYLAND 21204 825-7310

March 6, 1981

Mr. William Hammond Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Marylan 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Earl T. & Clara G. Dolan, Sr.

Location: N/S Sussex Road 168' E. of Newberry Lane

Gentlemen:

Item No.:

PAUL H MEINCHE

Zoning Agenda: Meeti ng of Feb. 10, 1981

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (XX 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

Planming Group Noted and Proved: Pire Prevention Butter Special Inspection Livision

Earl T. Dolan, Sr., et ux

thru B-12 of the Maryland Rules of Frocedure.

Case No. 81-175-SPH

Any appeal from this decision must be in accordance with Rules B-1

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

Patricia Phipps

WNP/bp

Re: Case No. 81-175-SPH Earl T. Dolan, Sr., et ux Dear Mr. Lawlor:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Encl. cc: Daniel Hanley, Esq. Frank Simcik Ms. Kitty Harris Hon, Barbara Bachur Earl T. Dolan, et ux Earl T. Dolan, Jr. Jean K. Duvall E. Siebert, Esq. J. E. Dyer W. Hammond J. Jung N. Gerber

J. Hoswell

PETITION FOR SPECIAL HEARING *

SrL.8-5-81

N/S OF SUSSEX ROAD

DEAR MR. CLERK:

COPY LEFT P/12

Mr. Sheriff:

CHARLES H. HICKEY, JR. OF BALTIMORE COUNTY

Please issue the above summons

168 E. of Newberrry Land 9th Election District

EARL T. DOLAN, Sk., Et Ux.

IN RE

0 IN RE PETITION FOR SPECIAL HEARING * OFFICE OF THE ZONING COMMISSIONER N/S OF SUSSEX ROAD MARYLAND 168 E. of Newberrry Land BALTIMORE COUNTY, 9th Election District MARYLAND EARL T. DOLAN, SR., Et Ux. * * * * * * No. 81-175-SPH * * * * * * SUMMONS SUMMONS DEAR MR. CLERK: Please issue a summons to: Please issue a summons to: Barbara Burgess 10 Warren Common Barbara Burgess 10 Warren Common Cockeysville, Maryland 21030 John Anderson 612 Sussex/Road - MUER John Anderson 612 Sussex Road Towson, Maryland 21204 Marge Anderson 612 Sussex Road Marge Anderson 612 Sussex Road Towson, Maryland 21204 Mrs. Raymond A. Whiting _ Mille CL - 5 1 / 218 Rogers Forge Road _ Baltimore, Maryland 21212 to testify for the Petitioner. Make the same returnable to the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204 on Wednesday, August 19, 1981 at 10:00 a.m. DANILL J. HANLEY, Esquire Suite 210 Alex. Brown Building 102 West Pennsylvania Avenue Towson, Maryland 21204 823-1174 823-1174 Attorney for Petitioner SHERIFF CHARLES H. HICKEY, JR. OF BALTIMORE COUNTY LAW OFFICES HANLEY AND HANLEY ALEX BROWN BUILDING June Holmen County Board of 102 W. PENNSYLVANIA AVE. TOWEDN, MARYLAND 21264

OFFICE OF THE ZONING COMMISSIONER BALTIMORE COUNTY, No. 81-175-SPH Cockeysville, Maryland 21030 owson, Maryland 21204 Towson, Maryland 21204 Mrs. Raymond A. Whiting 218 Rogers Forge Road Baltimore, Maryland 21212 to testify for the Petitioner. Make the same returnable to the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204 on Wednesday, August 19, 1981 at 10:00 a.m. DANIEL J. HANLEY, Esquire Suite 210 Alex. Brown Building 102 West Pennsylvania Atenue Towson, Maryland 21204 Attorney for Petitioner

7/15/81 - Notified of appeal hearing scheduled for WEDNESDAY, AUCUST 19, 1981 at 10 a.m.

5/24/81. Tom Bullinger checket file, doesn't see any reason for him is appear. However, if the Board would him call day of hearing.

Daniel J. Hanley, Esq.

J. Michael Lawler, Esq.

John W. Hessina, III, Esq.

Earl T. Dolan, Sr.

Earl T. Dolun, Jr.

Ms. Kitty Harris

Jean K. Duvall

Hon, Barbara Bachur

Frank Simcik

IN RE OFFICE OF THE ZONING COMMISSIONER PETITION FOR SPECIAL HEARING N/S OF SUSSEA ROAD BALTIMORE COUNTY. 168 E. of Newberry Land MARYLAND 9th Election District EARL T. DOLAN, SR., Et Ux. No.81-175-SPH * * * * * * * * * SUBPOENA DUCES TECUM MR. CLERK: Please issue a subpoena duces tecum commanding C. JAMES SCHEPER, JR., Director of Finance, Stella Maris Hospice, 2300 Dulaney Valley Road, Towson, Maryland 21204, to be and appear at the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204 on Wednesday, August 19, 1981 at 10:00 a.m. and to bring and produce with him the following records in hi~ possession, custody and control:

1. The admission records of Mrs. Emly Dolan, showing her admission to Stella Maris Hospice.

DANIEL J. HANLEY, Esquire Suite 210 Alex. Brown Building 102 West Pennsylvania Avenue Towson, Maryland 21204 823-1174 Attorney for Petitgoner. 2 @

TRED E COLU 35 AU *

Mr. Sheriff:

SANLLY AND HANLEY

ALCX BROWN BUILDING CL TY, PENNSYL MANIA AVE. Please issue the above summons.

June Holmen, County Board of Appeals

IN RE OFFICE OF THE ZONING COMMISSIONER PETITION FOR SPECIAL HEARING N/S OF SUSSEX ROAD BALTIMORE COUNTY, 168 E. of Newberrry Land MARYLAND 9th Election District EARL T. DOLAN, SR., Et Ux. No. 81-175-SPH * * * * * *

Please issue a summons to:

DEAR MR. CLERK:

Barbara Burgess

10 Warren Common Cockeysville, Maryland 21030 John Anderson

Towson, Maryland 21204 Marge Anderson 612 Sussex Road Towson, Maryland 21204

612 Sussex Road

Mrs. Raymond A. Whiting 218 Rogers Forge Road Baltimore, Maryland 21212

to testify for the Petitioner. Make the same returnable to the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204 on Wednesday, August 19, 1981 at 10:00 a.m.

> DANIEL J. HANLEY, Esquire Suite 210 Alex. Brown Building 102 West Pennsylvania Avenue Towson, Maryland 21204 823-1174 Attorney for Petitioner

Mr. Sheriff:

LAW OFFICES TALLEY AND HANLEY

DATOLINE AWORD X... IC W. PERHSYLVANIA AVE. TOUCON, MARYLAND 21204 Please issue the above summons.

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204

July 15, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$108

CASE NO. 81-175-SPH EARL T. DOLAN, SR. ET UX

RE: Nonconforming use as a 2 family dwelling

N/S of Sussex Road, 168' E. of Newberry Lane

9th District

5/14/81 - DZC GRANTED PETITION, subject to restrictions

Coursel for Protestant (Frank Simcik)

ASSIGNED FOR:

WEDNESDAY, AUGUST 19, 1981 at 10 a.m. Counsel for Petitioner

Protestant

Daniel J. Hanley, Esquire Earl T. Dolan, Sr. Petitioner

Earl T. Dolan, Jr.

Mr. Frank Simcik, President Protestant

Wiltondale Improvement Assn. J. Michael Lawlor, Esq.

Ms. Kitty Harris Jean K. Duvall,

Greater Towson Council of Community Associations

The Hon. Barbara Bachur County Council John W. Hessian, III, Esq. People's Counsel

Mr. W. E. Hammond Mrs. J. Jung Mr. J. E. Dyer Mr. W. E. Gerber Mr. J. G. Hoswell

Edith T. Eisenhart, Adm. Secretary

* OFFICE OF THE

PETITION FOR SPECIAL HEARING ZONING COMMISSIONER

N/S Of Sussex Road

IN RE:

168 E. of Newberry Lane BALTIMORE COUNTY, 9th Election District MARYLAND

EARL T. DOLAN, SR. et ux * No.: 81-175-SPH

Frank Simcik and the Wiltondale Improvement Association, by J. Michael Lawlor and Hodes, Kaplan & Katzenberg, P.A., their attorneys, petition the Board of Appeals to grant an Order requiring Earl T. Dolan, Jr. to attend and answer questions on oral Deposition.

The grounds for this Petition are as follows:

- 1. That Earl T. Dolan, Sr. has presented evidence that Earl T. Dolan, Jr. was a tenant of the subject property of this appeal from 1969 to August of 1977.
- 2. Said evidence is critical to any finding that the use of the property was not abandoned or discontinued for a period of one or more years;
- 3. The evidence is unsubstantiated and unverifiable without said deposition;
- 4. Said evidence is available only to Mr. Dolan, Sr. and Mr. Dolan, Jr., and they have expressed no inclination to divulge it;
- 5. The posture of the case is such that the Petitioners herein will be precluded from any such discovery if the case is further appealed;
- 6. The Petitioners herein, who are residents of the area affected by any ruling, are unable to offer specific testimony without the evidence peculiar to the Dolans;
- 7. Such resistance on the part of the Dolans prevents a full presentation of the facts and would amount to a denial of due process of law.

WHEREFORE, in the interest of justice and procedural due

LAW OFFICES HANLEY AND HANLEY ALEX BROWN BUILDING 102 W. PENNSYLVANIA AVE TOW ON, MARYLAND 21204

process the Petitioners herein respectfully request that the Board of Appeals grant an Order, pursuant to the Rules of Practice and Procedure of the County Board of Appeals, Rule 4-b., that will require Mr. Earl T. Dolan, Jr. to submit to examination by oral deposition.

J. MICHAEL LAWLOR
Hodes, Kaplan & Katzenberg, P.A.
110 E. Madison Street
Baltimore, Maryland 21202
837-6200
Attorneys for Petitioners

I HEREBY CERTIFY that on this I day of July, 1981, I caused a copy of the foregoing to be mailed, postare prepaid, to Daniel J. Hanley, Esquire, Suite 210, Alex Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Earl T. Dolan, Sr.

. MICHAEL LAWLOR

NORE CCUSTS

No 10 19 Pt B.
CCUSTS
CC

TOWSON, MARYLAND 21204

IN RE:
PETITION FOR SPECIAL HEARING
N/S OF SUSSEX ROAD
168 E. of Newberry Land

EARL T. DOLAN, SR., Et Ux.

9th Election District

OFFICE OF THE ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

NO. 81-175-SPH

********** ANSWER TO PETITION

Comes now EARL T. DOLAN, SR., by Daniel J. Hanley, Esquire, and Hanley & Hanley, his attorneys, and answers unto the Petition of Frank Simcik and the Wiltondale Improvement Association, which Petition asks permission to inspect the premises, as follows:

1. Earl T. Doian, Sr. has no obligation to provide protestants with the opportunity to inspect the premises.

2. Earl T. Dolan, Sr. will permit the Board at the time of the hearing to inspect the premises if the members of the Board of Zoning Appeals desire to so inspect the premises.

WHEREFORE, having fully answered unto the Petition of Frank Simcik and the Wiltondale Improvement Association, Earl T. Dolan, Sr. prays as follows:

1. That the Petition to Permit Protescants to inspect the premises be denied;

2. And for such other and further relief as this gause may require.

Daniel J. Hanley
210 Alex Brown BLDG
102 W. Pennsylvania AVE
Towson, Maryland 21204

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this day of July, 1981 that a copy of the aforegoing Answer to Petition was mailed by first class mail, postage prepaid, to J. Michael Lawlor, Esquire, 110 East Madison Street, Baltimore, Maryland 21202.

Daniel J. Hanley

IN RE

* OFFICE OF THE
ZONING COMMISSIONER

LETITION FOR SPECIAL HEARING *

N/S OF SUSSEX ROAD

168 E. of Newberry Land * MARYLAND

9th Election District
EARL T. DOLAN, SR., Et Ux. * NO. 81-175-SPH

ANSWER TO PETITION

Comes now EARL T. DOLAN, SR., by Daniel J. Hanley, Esquire, and Hanley & Hanley, his attorneys, and answers unto the Petition of FRANK SIMCIK a.d the WILTONDALE IMPROVEMENT ASSOCIATION, as follows:

- 1. That Board of Appeals Rule 4-(d) sets forth that deposition can only be taken by agreement of all parties.
- 2. That Earl T. Dolan, Sr. does not desire to submit to such a deposition.

Wherefore, having fully answered unto the Petition of Frank Simcik and Wiltondale Improvement Association, Earl T. Dolan, Sr. prays as follows:

- 1. That the Petition be dismissed with costs assessed against the protestants.
 - 2. And for such other and further relief as this

Daniel J. Hanley
210 Alex Brown BLDG
102 W. Pennsylvania AVE
Towson, Maryland 21204
823-1174
Attorney for Earl T. Dolan, Sr.,

CERTIFICATE OF SERVICE

cause may require.

OFFICE CO

HANLEY AND HANLEY

102 W. PENNSYLVANIA AVE

IN RE:

of

BALTHEORE COUNTY

PETITION FOR SPECIAL HEARING

N/S Of Sussex Road

168 E. of Newberry Lane

EARL T. DOLAN, SR. et ux

9th Election District

I HEREBY CERTIFY that on this A day of July, 1981, a copy of the aforegiong Answer to Petition was mailed by first class mail, postage prepaid, to J. Michael Lawlor, Esquire, 110 East Madison Street, Baltimore, Maryland 21202.

* CPFICE OF THE

MARYLAND

ORDERED, by the Office of the Zoning Commissioner, Board of

Upon consideration of the Petitions, it is this

Appeals, that Earl T. Dolan, Sr. and Earl T. Dolan, Jr. shall

, 1981, and it is further

Sussex Road, Towson, Maryland be had on or before

attend and submit to examination by oral deposition on or before

ORDERED, that an inspection of the premises known as 606

Commissioner

, 1981,

ZONING COMMISSIONER

BALTIMORE COUNTY,

No.: 81-175-SPH

1 J. Hanley

day

, 1981.

Daniel J. Hanley

IN RE

FETITION FOR SPECIAL HEARING *
N/S OF SUSSEX ROAD
168 E. of Newberry Land *
9th Election District
EARL T. DOLAN, SR., Et Ux. *

ANSWER TO PETITION

Comes now EARL T. DOLAN, JR., by Daniel J. Hanley, Esquire, and Hanley & Hanley, his attorneys, and answers unto the Petition of FRANK SIMCIK and the WILTONDALE IMPROVEMENT ASSOCIATION, as follows:

- 1. That Board of Appeals Rule 4-(d) sets forth that deposition can only be taken by agreement of all parties.
- 2. That Earl T. Dolan, Jr. does not desire to submit to such a deposition.

WHEREFORE, having fully answered unto the Petition of Frank Simcik and Wiltondale Improvement Association, Earl T. Dolan, .r. prays as follows:

- 1. That the Petition be dismissed with costs assessed against the protestants.
- 2. And for such other and further relief as this cause may require.

Daniel J. Hanley
210 Alex Brown BLDG
102 W. Pennsylvania AVE
Towson, Maryland 21204
823-1174
Attorney for Earl T. Dolan, Jr.,

OFFICE OF THE

MARYLAND

ZONING COMMISSIONER

BALTIMORE COUNTY,

NO. 81-175-SPH

CERTIFICATE OF SERVICE

LAW OFFICES

HANLEY AND HANLEY
ALEX BROWN BUILDING

102 W. PENNSYLVANIA AVE

TOWSON, MARYLAND 21204

I HEREBY CERTIFY that on this A d y of July, 1981, a copy of the aforegiong Answer to Petition was mailed by first class mail, postage prepaid, to J. Michael Lawlor, Esquire, 110 East Madison Street, Biltimore, Maryland 21202.

Daniel J. Hanley

IN RE:

* OFFICE OF THE

PETITION FOR SPECIAL HEARING * ZONING COMMISSIONER

N/S Of Sussex Road *

168 E. of Newberry Lane * PALTIMORE COUNTY,

PETITION

Frank Jimcik and the Wiltondule Improvement Association, by J. Michael Lawlor and Hodes, Kaplan & Katzenberg, P.A., their attorneys, petition the Board of Appeals to grant an Order requiring Earl T. Dolan, Sr. to attend and answer questions on oral Deposition.

The grounds for this Petition are as follows:

- That the Petitioners herein requested that Mr. Earl T.
 Dolan, Sr. submit to an oral deposition in a letter dated June
 19, 1981 sent to Daniel J. Hanley, Esquire, Mr. Dolan's attorney;
 - 2. Said request was refused by Mr. Hanley on June 22, 1981;
- 3. Earl T. Dolan, Sr. has presented evidence that is unsubstantiated and unverifiable without said deposition;
- 4. Said evidence is available only to Mr. Dolan, Sr. and he has expressed no inclination to divulge it;
- 5. The posture of the case is such that the Petitioners herein will be precluded from any such discovery if the case is further appealed;
- 6. The Petitioners herein, who are residents of the area affected by any ruling, are unable to offer specific testimony without the evidence peculiar to and secreted by Mr. Dolan, Sr.;
- 7. Such resistance on the part of the Dolans prevents a full presentation of the facts and would amount to a denial of due process of law.

WHEREFORE, in the interest of justice and procedural due process, the Petitioners herein respectfully request that the Board of Appeals grant an Order, pursuant to the Rules of

IN BE:

PETITION FOR SPECIAL HEARING

N/S Of Sussex Road

168 E. of Newberry Lane

9th Election District

EARL T. DOLAN, SR. et ux

* No.: 31-175-SPH

PETITION

Frank Simcik and the Wiltondale Improvement Association, by

J. Michael Lawlor and Hodes, Kaplan & Katzenberg, P.A., their
attorneys, petition the Board of Appeals to grant an Order requiring
Earl T. Dolan, Sr. to permit an inspection of the premises known
as 606 Sussex Road, Towson, Maryland 21204, by the Petitioners
herein at such time as is found to be reasonable by the Board.

The grounds for this Petition are as follows:

- Earl T. Dolan, Sr. has presented evidence concerning the above address that cannot be verified without an on-site inspection;
 - Said evidence is critical to the Petitioners' case;
- 3. Not permitting an inspection will cause undue hardship in pursuing the case.

wherefore, The Petitioners herein respectfully request that an Order be granted requiring an inspection of the aforementioned

J. MICHAEL LAWLOR
Hodes, Kaplan & Katzenberg, P.A.
Ilo E. Madison Street
Baltimore, Maryland 21202
837-6200
Attorneys for Petitioners

I HEREBY CERTIFY that on this Jack day of July, 1981, I caused a copy of the foregoing to be mailed, postage prepaid, to Daniel J. Hanley, Esquire, Suite 210, Alex Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Earl T. Dolan, Sr.

J. MICHAEL LAWLOR

Practice and Procedure of the County Board of Appeals, Rule 4-r., that will require Mr. Earl T. Dolan, Sr. to submit to examination by oral deposition.

J. MICHAEL LAWLOR
Hodes, Kaplan & Katzenberg, P.A.
110 E. Madison Street
Baltimore, Maryland 21202
837-6200
Attorneys for Petitioners

I HEREBY CERTIFY that on this 2 day of July, 1981, I caused a copy of the foregoing to be mailed, postage prepaid, to Daniel J. Hanley, Esquire, Suite 210, Alex Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Earl T. Dolan, Sr.

J. MICHAEL LAWLOR

Jul 2: Iu 19 Nº '81

CCUNT POLES

CCUNT POLES

CCUNT POLES

EKW OFFICES

MANCEY AND MANCEY

WES BROKE BUILDING

192 W. PENSTLYANIA AVE.

TOWS DE MARISAND 31204

-2-

	IN RE * OFFICE OF THE ZONING COMMISSIONER PETITION FOR SPECIAL HEARING * N/S OF SUSSEX ROAD BALTIMORE COUNTY, 168 E. of Newberry Land * MARYLAND 9th Election District EARL T. DOLAN, SR., Et Ux. * No.81-1/5-SPH * * * * * * * * *
	SUBPOENA DUCES TECUM
	MR. CLERK:
	Please issue a subpoena duces tecum commanding C. JAMES SCHEPER, JR., Director of Finance, Stella Maris Hospice, 2300 Dulaney Valley Road, Towson, Maryland 21204, to be and appear at the County Board of Appeals, Room 213, Court House, Towson, Maryland 21204 on Wednesday, August 19, 1981 at 10:00 a.m. and to bring and produce with him the following records in his possession, custody and control: 1. The admission records of Mrs. Emly Dolan, showing her admission to Stella Maris Hospice. DANIEL J. HANLEY, Esquire Suite 210 Alex. Brown Philding
	Mr. Sheriff: Please issue the above summons. 102 West Pennsylvania Avenue Towson, Maryland 21204 823-1174 Attorney for Petitoner. Plant County Board of Appeals June Holmen, County Board of Appeals
	Copy left Eliler MER
It	Occupancy Data or Second Floor Apartment 606 Sussex Road Towson, Maryland 21204
e n	undersign owners of 606 Sussex Road, Towson, Maryland 21204, attest to the occupancy of the second floor apartment as
	Proceed Posider

To Whom

LAW OFFICES PANCEY AND HANCEY 102 W. PENNSYLVANIA AVE TOWSON, MARYLAND 2120-

> do herei follows:

Mr. & Mrs. Earl T. Dolan, Jr. September 1969 August 1977 4 Edgarwood Ct. Phoenix, Md 2113 Mr. & Mrs. Christopher Burgess September 1977 November 1978 10 Warren Common	Tenant	From	<u>To</u> <u>P</u>	resent Residence
Dr. & Mrs. Anthony Bravos February 1967 July 1969 13012 Heil Manor Baltimore, Md.211 Mr. & Mrs. Earl T. Dolan, Jr. September 1969 August 1977 4 Edgarwood Ct. Phoenix, Md.2113 Mr. & Mrs. Christopher Burgess September 1977 November 1978 10 Warren Common Baltimore, Md.210 Emly E. Dolan October 1979 May 1980 Stella Maris	Mr. & Mrs. Paul Germont	January 1948	August 1952	(Deceased)
Mr. & Mrs. Earl T. Dolan, Jr. September 1969 August 1977 4 Edgarwood Ct. Phoenix, Md.2113 Mr. & Mrs. Christopher Burgess September 1977 November 1978 10 Warren Common Baltimore, Md.210 Emly E. Dolan October 1979 May 1980 Stella Maris	Irene & Roxanne Steel	September 1952	September 1966	(Deceased)
Phoenix, Md.2113 Mr. & Mrs. Christopher Burgess September 1977 November 1978 10 Warren Common Baltimore, Md.210 Emly E. Dolan October 1979 May 1980 Stella Maris	Dr. & Mrs. Anthony Bravos	February 1967	July 1969	13012 Heil ManorF Baltimore, Md.2113
Emly E. Dolan October 1979 May 1980 Stella Maris	Mr. & Mrs. Earl T. Dolan, Jr.	September 1969	August 1977	4 Edgarwood Ct. Phoenix, Md.21131
Thirty at bottom and the second and	Mr. & Mrs. Christopher Burgess	September 1977	November 1978	10 Warren Common Baltimore, Md.2103
	Emly E. Dolan	October 1979	Мау 1980	

In Witness Whereof, the undersign he	ereunto set their hand and seal:
Witness July to promise	Earl T. Dolan, Sr.
	Earl T. Dolan, Sr.
Witness Jell to property	Clara G. Dolan
•	Clara G. Dolan
Witness // /	Earl T. Dolan, Jr. (Son)
	Earl T. Dolan, Jr. (Son)
Witness / ////	June D. Anderson (Daughter)
	June D. Anderson (Daughter)
State of Maryland County of Baltimore	. To Wit:

I hereby certify that on this / day of , ,1981, befor me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Earl T. Dolan, Sr., Clara G. Dolan, Earl T. Dolan, Jr. (Son), and June D. Anderson (Daughter), acknowledged the above instrument

Witness my hand and Notarial Seal the day and year last alone written.

My commission expires July 1, 1982

Occupancy Data for Second Floor Mpartment 606 Sussex Read Towson, Maryland 21204

RE: PETILION FOR SPECIAL HEARING N/5 of Sussex Rd., 168' E of Newberry Lane, 9th District

: BEFORE THE ZONING COMMISSIONER

EARL T. DOLAN, SR., et ux, Petitioners

OF BALTIMORE COUNTY

: Case No. 81-175-SPH

::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing dat or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 18th day of March, 1981, a copy of the aforegoing Order was mailed to Mr. and Mrs. Earl T. Dolan, Sr., 606 Sussex Road, Towson, Maryland 21204, Petitioners.

John W. Hessian, III

REB No. 10 10-1-80

Dollars (\$ 400,00

McGUIRE & CO., REALTORS 7402 York Rd. Towson, MD 21204

Standard Apartment Lease

FOR DUPLEXES & SMALL APARTMENT BUILDINGS

Published by The Greater Baltimore Board of	
This is a Legally Binding Contract; If Not Understood This Lease, Made this 30 day of Marc	sh 10.81 Lutuum
EARL T. DOLAN & CLARA G. DOLAN	Owner
PAMEIA D DEUDCCOM	, Ten
Witnesseth, That the said Owner hereby leases to the said Tenant	
Owner the premises known as 606 Sussex Road (2nd floor	
Towson, MD 21204	
for the term of 1 year beginning on the 250 day of the 1st 2 day of March 19_82, at a total rental of	
for the term of 1 year beginning on the 2nd day of	March 1981, and ending
the 1st 2 day of March 19 82, at a total rental c	f FORTY-EIGHT HUNDRED
Dollars (\$	
monthly installments of FOUR HUNDRED	

in advance on the first day of each month. THE SAID TENANT AGREES:

REALTOR

1. To pay promptly the rent as herein provided without any deduction whatsoever and to pay the rent when due at the office of the Owner. If the rent is paid more than 10 calendar days late. Tenant will pay as additional rent a sum equal to 5% of the amount of delinquent rent due. If a check is accepted by Owner from Tenant for rent, it is purely as an accommodation to Tenant. If the check is bad or worthless, Tenant agrees to pay a \$ 10.00 charge to Owner, as additional rent, to offset administrative costs involved in Owner's office.

2. To pay the court costs charged to Owner for notice sent for non-payment of rent and for ejectment, and agrees that Owner may proceed by summary ejectment for eviction for non-payment of rent, and agrees to pay \$ 500.00*, as additional rent, if ejectment is ordered by the court to reimbruse Owner for administrative costs and for other costs involved in the preparation of the ejectment. *Not to exceed said amount.

3. Not to do or permit to be done anything on said premises in contravention of any fire insurance policy in force thereon, not to keep live animals or birds on said premises without the prior written consent of the Owner, and not to do or permit to be done anything that would interfere with or annoy other tenants. (two (2) pet cats agreeable).

4. Not to use or permit the use of any portion of said premises for any purpose other than as an orderly private residence; to keep the said premises in a clean and sanitary condition and to comply with all laws and health and police regulations with respect to said premises, and to indemnify and save the Owner harmless from all liability arising out of any violation by Tenant of such laws or regulations or arising out of any neglect or any violation or non-performance by the Tenant of any of the covenants contained herein.

5. Not to assign this lease or sublet all or any portion of said premises without first obtaining the written consent of the

6. Not to make any alterations or additions to the leased premises without Owner's prior written consent.

7. That Tenant shall observe and comply strictly with the Owner's rules or regulations, a copy of which is attached hereto and made a part hereof, and with such further reasonable rules or regulations, or modifications thereof, as the Owner may from time to time adopt. Owner will notify Tenant not less than fifteen (15) days in advance of any change in any such rules or regula-

8. At the end of said term, or any renewal thereof, to surrender said premises to said Owner in as good condition as when received, except for any damage caused by ordinary wear and use thereof; and Tenant further agrees to surrender said premises free and clear of all furniture and debris and to return all keys to the leased premises to the Owner.

9. That the Owner or Owner's agents shall have the right to enter upon said premises at all reasonable times for the purpose of inspection or making any repairs which Owner may be required to make by reason of other provisions of this Lease or by reason of the requirements of public authorities, and for a period of ninety (90) days prior to the expiration of the term of this Lease, or any renewal thereof, Owner shall have the right, at all reasonable times, to show prospective tenants or purchasers through said premises and to post "For Sale" or "For Rent" signs thereon, if not prohibited by law

10. That with respect to those portions of the premises within the exclusive control of the Tenant, the said Owner shall not be responsible for any loss or damage to any goods or chattels placed on, in or about the said premises, nor for any personal injury to the Tenant or any member of said Tenant's family, or to any guest or servant

11. If the said premises are rendered totally unfit for occupancy by fire, tempest or other act of God, or by the acts of rioters or public enemies, or other unavoidable accident, the tenancy hereby created shall immediately cease upon the payment of the rent apportioned to the time of such happening; if, however, said premises are only partially destroyed or damaged and the Owner deems it judicious to repair the damage, then such repairs shall be made by the Owner without unreasonable delay, this Lease remaining in full force and effect.

Petryh 2

To Whom 1t May Concern

written.

My commission expires July 1, 1982

	We the	undersign	owners	of	606	Suss	sex	Road,	Towson,	Maryland	2126
άo	herein	attest to	the or	cupa	ncy	of t	he	second	floor	apartment	as
fo	llows:										

follows:			
Tenant	From	To P	resent Residence
Mr. & Mrs. Paul Germon'	January 1948	August 1952	(Deceased)
Irene & Roxanne Steel	September 1952	September 1966	(Deceased)
Dr. & Mrs. Anthony Bravos	February 1967	July 1969	13012 Heil ManorR Baltimore,Md.2113
Mr. & Mrs. Earl T. Dolan, Jr.	September 1969	August 1977	4 Edgarwood Ct. Phoenix, Md 21131
Mr. & Mrs. Christopher Burgess	September 1977	November 1978	10 Warren Common Baltimore,Md.2103
Emly E. Dolan	October 1979	May 1980	Stella Maris Hospice
In Witness Whereof, the un	dersign hereunt	c set their han	d and seal:
Witness / // / / / ////////////////////////		Earl T. Dolan	. sr.
Witness	//	Clara G. Dola	
Witness //		Earl T. Dolan	•
Vitness / ///	1		and the same
,	,	June D. Ander	son (Daughter)
State of Maryland County of Baltimore	•	To Wit:	
I hereby certify that on the me, the subscriber, a Notary be personally appeared Farl T. Do (Son), and June D. Anderson (Ito be their act.	olan, Sr., Clara	G. Dolan, Ear	l T. Dolan, Jr.
Witness my hand and Notaria	al Seal the day	and year last	ato no

PARTIES: If a security der including payment of the last month's rent in dvance of the time it is due, is to be paid by the Tenant to the Owner in ordino protect the Owner against non-payment or damage due to breach of Lease, or for damage to the leased premises, Tenant is entitled to receive, and Owner is obligated to deliver to Tenant, a receipt containing those provisions required by law. The below form may be used as a receipt for this purpose if properly executed by all parties

The undersigned Owner and x Earl T. Dolan & Clara	G. Dolan AND
Pamela R. Pehrsson	, Tenant, have entered into a Lease dated
the 2nd day of March 1931, for the rental	of certain premises known as
606 Sussex Rd., Towson, MD 21204 (2nd floo	rapt.) Maryland, and the undersigned
Owner hereby acknowledges having received from said Tenant this2	nd day of Match 19 81
the sum of FOUR HUNDRED	Dollars
(\$ 400.00)* as a security deposit in connection with said Leas damage due to breach of said Lease including failure to surrender the premise	e, to protect Owner against non-payment of rent, is free and clear of debris and furniture or failure to

return all keys to the leased premises to the Owner, or for damage to the leased premises caused by Tenant, his family, agents, employees or social guests, in excess of ordinary wear and tear.**

*The amount of the security deposit shall not exceed the equivalent of two (2) months' rent, or \$50.00, whichever is greater. per dwelling unit leased under the Lease.

**The aforesaid security deposit will be deposited by the Owner in a Maryland banking or savings institution, within thirty (30) days of its receipt, in an interest-bearing account devoted exclusively to security deposits. Within thirty (30) days after the end of the tenancy, the Owner shall return the security deposit to the Tenant, together with simple interest which has accrued in the amount of four per cent (4%) per annum, less any damages rightfully withheld. Interest as aforesaid shall be payable only on security deposits of \$50.00 or more and chall accrue at six-month intervals from the day the Tenant gives the Owner the security deposit. Interest shall not be compounded. If the Owner withholds all or any portion of said security deposit for unpaid rent or for damages as set forth in the foregoing receipt, the Owner, within thirty (30) days after the termination of the tenancy, will furnish, by first-class mail, directed to Tenant's last-known address, a written list of damages claimed, together with a statement of the cost actually incurred. Because Tenant has been required to make a security deposit in connection with the aforesaid Lease, Tenant may, upon written request to Owner, made within fifteen (15) days of Tenant's occupancy of the leased premises, promptly receive from Owner a written list of all existing damages.

The Tenant has the right to be present when the Owner or Owner's agent inspects the premises in order to determine if any damage was done to the leased premises, if the Tenant notifies the Owner by certified mail of his intention to move, the date of .noving, and his new address. Such notice from Tenant to Owner must be mailed at least fifteen (15) days prior to the date of moving. Upon receipt of such notice, the Owner shall notify the Tenant by certified mail of the time and date when the premises are to be inspected. The date of inspection shall occur within five (5) days before or five (5) days after the date of moving as designated in the notice from the Tenant to the Owner.

Owner need not notify Tenant of his intention to withhold all or any part of the security deposit, if Tenant has been evicted, or ejected for breach of a condition or covenant of the Lease prior to the termination of the tenancy or if Tenant has abandoned the premises prior to the termination of the tenancy. In such an event, Tenant may make demand for return of the security deposit by giving written notice by first-class mail to the Owner within forty-five (45) days of being evicted, or ejected or of abandoning the premises. The notice shall specify the Tenant's new address. The Owner then, within thirty (30) days of receipt of said notice, shall supply Tenant with a list of damages and costs, by first-class mail.

	Tenant hereby acknowledges that a copy of the	foregoing Receipt for Security Deposit was delivered by Owner to Tenant.
Dat	e: <u>3 · 3</u> , 19 · 8 · l	Pamlallehisson TENANTS SIGNATURE

DANIEL J. HANLEY

PATRICK D. HANLEY

LAW OFFICES HANLEY AND HANLEY SUITE 210 ALEX BROWN BUILDING TOR WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 (30) 823-1174

CLAUDE A HANLEY

April 14, 1981

Ms. Jean Jung Deputy Zoning Commissioner 111 West Chesapeake Avenue Towson, Maryland 21264

EARL T. DOLAN, SR., stay RE: Petition For Special Hearing 606 Sussex Road, Towson, Md. 21204 Case No. 81-175-SPH

Dear Ms. Jung:

I am enclosing an affidavit from C. James Scheper, Jr., Director of Finance for Stella Maris Hospice. As the affidavit indicates Mrs. Frily Dolan was admitted to Stella Maris on May 27, 1980. By a copy of this letter to Frank Simcik, I have enclosed a photocopy of the affidavit.

Very truly yours,

Daniel J. Hanley

Enclosure 1

CC: Frank Simcik, President Wiltondale Association P. O. Box 10116 Towson, Ma. 21204

> Earl T. Dolan 305 East Joppa Rd Towson, Md. 21204

494-3180

 \bigcirc County Board of Appeals Room 219, Court House Towson, Maryland 21204

July 28, 1981

J. Michael Lawlor, Esquire Hodes, Kaplan & Katzenberg 110-112 E. Madison Street Baltimore, Maryland 21202

> Re: Case No. 81-175-SPH Earl T. Dolan, Sr., Petitioner

Dear Mr. Lawlor:

The County Board of Appeals has received and docketed the petitions that you filed in this case.

In the first petition, you seek to depose Earl T. Dolan, Sr. Rule 4-d of the "Rules of Practice and Procedure of the County Board of Appeals," which said Rules have been duly approved by the County Council for Baltimore County and have the force and effect of law, specifically provides that depositions shall not be allowed unless by agreement of all parties or their counsel of record. Since counsel for the potential deponent, in his answer to your petition, specifically declines to agree to the taking of the deposition, the operation of the Rule itself mandates that the request contained in your petition be denied.

The second petition that you filed concerns your request that you and your clients be permitted to make an on-site inspection of the premises which are the subject of this proceeding. Because of the danger of abuse, the Board has in the past denied requests for such inspections, and your request in this case is, therefore, denied.
The normal procedure that the Board follows is that if it appears during the hearing on the merits of the petition that an on-site inspection would be beneficial to the Board and the parties and is pertinent to the issues before the Board, an understanding with regard to such inspection is then reached.

As to your request for postponement, on checking with the Clerk of the court at Owings Mills we find that your case which had been set for hearing on August 19th has been postponed and rescheduled for October 21st, so that there is now no need to grant a postponement of the case scheduled before the Board

IT IS FURTHER AGREED BY THE PARTIES HERETO:

1. The Owner agrees that the Tenant, peaceably and quietly, may enter on the leased premises at the beginning of the term hereof, and that the leased premises will be made available in a condition permitting habitation, with reasonable safety except

2. The obligat	ions of the partie	s with respect to	services, utilities and rep	airs shall be as folic To Be Furni	ows. shed at Cost
	To Be Furnis and Exp				pense of:
n Uaut	Owner (X)	Tenant ()	f	Owner ')	Tenar.,
a. Heat b. Gas	Owner (X)	Tenant ()	g	Owner ()	Tenant (
c. Electricity	Owner ()	Tenant (X)	h	Owner ()	Tenant (
d. Hot Water		Tenant ()	i	Owner ()	Tenant (
e. Cold Wate	`	Tenant ()			

Except as may be hereinafter provided, Tenant agrees to pay for all repairs and renovations to the leased premises during the term hereof, and any renewal thereof, other than those repairs to the gas, electric and plumbing systems, fixtures or appliances required by reason of ordinary wear and use thereof. The replacement of any cracked or broken windows or other glass shall be the responsibility of Tenant. Any sum payable hereunder shall be due and collectible as additional rent for the leased

Additional agreements, if any, regarding services, utilities or repairs are as follows: Tenant has right to use basement laundry facilities w/some storage space.

In the event that Owner has agreed herein to furnish any service or utility at Owner's cost and expense, and should it become necessary at any time, because of accident, malfunction, or for the purpose of repairing or improving the equipment furnishing such service or utility, or anything pertaining thereto, the Owner shall have the right, without liability to the Tenant for any direct or indirect damages, to temporarily stop or curtail the furnishing of any such service or utility, but, in any such case, the Owner agrees to use due diligence in restoring such service or utility.

Tenant agrees to notify Owner promptly of any defect in the leased premises which it is the Owner's obligation hereunder to repair.

In the event Owner or Tenant is prevented or is unable, for reasons beyond Owner's or Tenant's control, to obtain fuel or electricity for the services which they respectively have agreed above to furnish, or in the event of the rationing or non-delivery of the same, Owner is hereby released and discharged from any damages, direct or indirect, which might be suffered by Tenant, and this Lease shall continue in full force and effect.

3. If the rent shall be due and unpaid, or if the Tenant shall violate any of the agreements on Tenant's part herein made, the Owner may distrain therefor and/or re-enter the leased premises in accordance with the applicable provisions of law, and any such re-entry shall terminate this Lease. No such termination, however, shall deprive the Owner of any other right of action against the Tenant for possession, for rent or for damages.

4. Additional provisions, if any, are as follows: Tenant understands that on or before 6/31/81 upon exchange of ownership w/new purchaser, & of the 2-car gai ge will be available for above tenant's use.

5. The provisions hereof, together with any provisions applicable hereto which have been added by the parties, constitute the entire agreement between the parties here to with respect to the said premises.

The Owner recognizes _____ McGuire & Co. _____ as the Realtor negotiating this Lease and agrees to pay the said Realtor, at the time of the execution hereof by the Owner, a brokerage fee for services rendered amounting to \$ 400.00 or a brokerage fee to be computed and paid as follows:

TENANTS HAVE READ OR HAVE HAD THIS AGREEMENT READ TO THEM, UNDERSTAND SAME, HAVE RECEIVED A COPY OF THIS AGREEMENT, AND BOTH OWNER AND TENANTS BY THEIR SIGNATURES HEREBY ACCEPT AND AGREE TO BE BOUND BY ALL THE TERMS AND CONDITIONS SET FORTH HEREIN.

WITNESS the hands and seals of the parties hereto the day and year firs, above written.

It is agreed by the parties that the foregoing Lease, with all its provisions and covenants, shall continue in force from year after the expiration of the term above mentioned; provided, however, that the parties hereto, or either of them, can terminate the same at the end of the term mentioned, or at the end of any renewal thereof, ____) days prior written notice to the other party. TENANT'S INITIALS: __

LAW OFFICES HANLEY AND HANLEY SUITE 210 ALEX BROWN BUILDING TOZ WEST PENNSYLVANIA A 'ENUE TOWSON, MARYLAND 21204

(30); 823-1174

DANIEL J. HANLEY PATRICK D. HANLEY

June 23, 1981

William T. Hackett, Chairman County Board of Zoning Appeals Room 219 Court House Towson, Maryland 21204

RE: Petition for Special Hearing north side of Sussex Rd., 168' E of Newberry Lane - 9th Election District Earl T. Dolan, Sr., et ux - Petitioners No. 81-175-SPH (Item No. 137)

Dear Mr. Hackett:

An appeal of the above captioned matter has been noted by J. Michael Lawler, Esquire. Kindly schedule same for a hearing on the merits at the earliest possible date.

> Very truly yours, Daniel J. Hanley

DJH:d

CC: Earl T. Dolan J. Michael Lawler, Esquire

J. Michael Lawler, Esquire

Accordingly, since the preliminary matters contained in both of the petitions have now been ruled on and the postponement request has also been denied, the case will proceed on the merits on August 19th,

Very truly yours,

cc: Daniel J. Hanley, Esquire

LAV OFFICES HANLEY AND HANLEY SUITE 210 ALEX BROWN BUILDING 102 WEST PENNSYLVANIA AVENUE

TOWSON, MARYLAND 21204

DANIEL J HANLEY PATRICK D. HANLEY

(301, 823-1174 July 28, 1981 CLAUDE A HANGEY

Mr. William Hackett, Chairman Baltimore County Board of Zoning Appeals Room 219 - Court House Towson, Maryland 21204

> RE: CASE NO. 81-175-SPH My Client: Earl T. Dolan, Sr.

Dear Mr. Hackett:

I am in receipt of a copy of a letter from J. Michael Lawlor to you in which Mr. Lawlor requests a postponement of the August 19, 1981 hearing date in the above captioned matter. Mr. Lawlor cites a District Court case he has that atternoon as the reason for his requested postponement. On checking with the District Court of Maryland at Owings Mills I was advised by the Clerk of that Court that Mr. Lawlor's case in District Court had been postponed. They advised me that his District Court case was presently scheduled for trial on October 21, 1981. The case was postponed by Mr. Lawlor's opposing counsel and was done so after the July 21, 1981 letter to you. Accordingly, Mr. Lawlor's calendar should now be free to attend this hearing.

I would vigorously object to any postponement of this case.

As t the matters set forth in the Petition of Mr. Lawlor, I am enclosing Answers to his Petition. I would request the Board's timely ruling on these Petitions so that the case is not delayed.

Daniel J. Hanley

Legal Description to Accompany Petition for Special Hearing

Beginning at a point on the north side of Sussex Road, 168 feet from the intersection of Newberry Lane and Sussex Road, as recorded on the plat of Wiltondale, Plat Book 10, Folio 108, Section 1, Lot 180. Otherwise known as 606 Sussex Road. Located in the 9th Election District.

HODES, KAPLAN & KATZENBERG PA

ATTORNETS AT LAW

July 21, 1981

MICHAEL C HODES LOUIS I KAPLAN ALEX S KATZENBERG III J MICHAEL LAWLOR TIMOTHY F UMSREIT

THO THE MADISON STREET BALTIMORE MARYLAND 21202 (3011 #37 6200

SUITE \$14 6301 IVY LANE GREENBELT MARYLAND 20770 301:621 1777

Office of the Zoning Commissioner Board of Appeals County Courts Building Towson, Maryland 21204

> Re: Petition of Earl T. Dolan, Sr., No. 81-175-SPH

Dear Sir or Madam:

I received the Notice of Assignment today scheduling the hearing in the above referenced case for August 19, 1981 at 10:00 a.m.

At present, I have a case scheduled for trial in the District Court of Baltimore County at 1:30 p.m. on that day. The name of the case is Shor & Sugar v. Feldman.

I am, therefore, requesting that the hearing be postponed. Also, I am requesting that you file the enclosed Petitions for the Commission's consideration.

Thanking you, I am

Sincerely, HODES, KAPLAN & KATZENBERG, P.A. /J. Michael Lawlor

JML:rab

cc: Daniel J. Hanley, Esquire

No growine in its Rules of Providence of age, along offermed by the desired for Business down, for

PETITION FOR SPECIAL HEARING 9th District

ZONING:

Petition for Special Hearing

North side of Sussex Road, 168 feet East of Newberry Lane LOCATION:

DATE & TIME: Thursday, April 9, 1981 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,

Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use for a two apartment dwelling

All that parcel of land in the Ninth District of Baltimore County

Being theproperty of Earl T. Dolan, Sr., et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, April 9, 1981 at 1:30 P.M.
Public Hearing: Room 196, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

Towson, Maryland 21204

June 3, 1981

110-112 E MADISON STREET

BALTIMORE, MARYLAND 21202

(301) 637-6200

SUITE 514 6301 IVY LANE

GREENBELT, MARYLAND 20770

(301) 621-1777

Office of Zoning Commissioner Courty Courts Building Towson, Maryland 21204

> IN RE: Petition for Special Hearing N/S of Sussex Road, 168' E. of Newberry Lane - 9th Election Dis-Earl T. 'olan, Sr., et ux, Peritioners 81-175-5PH (#137)

HODES, KAPLAN & KATZENBERG, P.A.

ATTOHNEYS AT LAW

Dear Mr. Hammond:

Please note an appeal to the Board of Appeals, Baltimore Coutny, Maryland, on the abovecaptioned and transmit the record to said Board of Appeals.

Sincerely,

Box 10116

HODES, KAPLAN & KATZENBERG, P.A.

J. Michael Lawlor Attorneys for Frank Simcik, Protestant Wiltondale Improvement Association

JML:k11

MICHAEL C. HODES

LOUIS I. KAPLAN

ALEX S. KATZENBERG. III

J. MICHAEL LAWLOR

CLAUDE A. HANLEY

((898-1976)